

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

TERRACE ELLIS,  
Plaintiff,

v.

PHILLIPS AND COHEN ASSOCIATES,  
LTD.,  
Defendant.

Case No. [5:14-cv-05539-EJD](#)

**PRETRIAL ORDER (JURY)**

The above-entitled action is scheduled for a Trial Setting Conference on July 28, 2016. Based on the parties' Joint Trial Setting Conference Statement, the court has determined an appearance is unnecessary at this time. Accordingly, the Trial Setting Conference is VACATED and the parties are ordered to comply with the following schedule.

IT IS HEREBY ORDERED that because Plaintiff has demanded a jury trial, and because there are disputed factual issues upon which a jury must find, the court will schedule this action for a jury trial.

IT IS FURTHER ORDERED the court declines to appoint pro bono counsel for Plaintiff pursuant to General Order No. 25. Plaintiff is advised that any retained counsel must immediately file a Notice of Appearance.

IT IS FURTHER ORDERED that pursuant to ADR Local Rule 7-2, the above-entitled case is referred to Magistrate Judge Howard R. Lloyd for a settlement conference to occur no later than September 23, 2016. The parties are instructed to contact Judge Lloyd's Courtroom Deputy to arrange a date and time for the conference.

IT IS FURTHER ORDERED that the following schedule shall apply to this case:


EVENT	DATE
Final Pretrial Conference	11:00 a.m. on October 18, 2016
Joint Final Pretrial Conference Statement, Motions <i>in Limine</i> and Exchange of Exhibits	October 4, 2016
Voir Dire Questions, Proposed Jury Instructions, and Proposed Jury Verdict Forms	October 10, 2016
Jury Selection	9:00 a.m. on October 24, 2016
Jury Trial <sup>1</sup>	October 25-26, 2016
Jury Deliberations	October 27-28, 2016

IT IS FURTHER ORDERED that the parties shall comply with the Standing Order for Civil Cases, a copy of which is available from the Clerk of the Court,<sup>2</sup> with regard to all pretrial submissions.

The court advises the parties that this is the **final case schedule**. All parties are expected to comply as directed above. This schedule will not be amended further absent the presentation of good cause necessitating such an amendment.

**IT IS SO ORDERED.**

Dated: July 22, 2016

  
EDWARD J. DAVILA  
United States District Judge

<sup>1</sup> Jury trials will be held in full day sessions on Tuesdays, Wednesdays and Fridays, unless the Court specifies otherwise. On the date set for jury selection, counsel should be prepared to commence trial proceedings immediately after a jury is identified. The final trial schedule will be confirmed at the Final Pretrial Conference.

<sup>2</sup> A copy of Judge Davila's standing order is also available on the court's website at [www.cand.uscourts.gov](http://www.cand.uscourts.gov) by clicking first on the "Judges" button, then on Judge Davila's name, then on the link for "Judge Davila's Standing Orders," and finally on the link for "Standing Order for Civil Cases."